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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

CA9-99-043

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on 3/31/2006

Signature

Typed or printed name James E. Boice

Application Number

09/541,994

Filed

04/03/2000

First Named Inventor

J. Julian Paas

Art Unit

2157

Examiner

Burgess, Barbara N.

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

 applicant/inventor. assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96) attorney or agent of record. 44,545Registration number 44,545

Signature

James E. Boice

Typed or printed name

512.617.5533

Telephone number

 attorney or agent acting under 37 CFR 1.34.Registration number if acting under 37 CFR 1.34

3/31/2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

J. JULIAN PAAS

SERIAL NO.: **09/541,994**

FILED: **03 APRIL 2003**

FOR: **SCRIPTING TASK-LEVEL
USER-INTERFACES**

ATTY. DOCKET NO.: **CA9-99-043**

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§ EXAMINER: **BURGESS, BARBARA N.**

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§ ART UNIT: **2157**

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PRE-APPEAL BRIEF REQUEST FOR REVIEW

MAIL STOP AF
COMMISSIONER FOR PATENTS
PO Box 1450
ALEXANDRIA, VIRGINIA 22313-1450

Sir:

This Request is herein submitted contemporaneously with a Notice of Appeal, filed in response to a Final Office Action dated October 5, 2005.

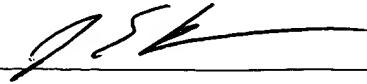
In the event an extension of time is required for this Request, that extension of time is hereby requested. Please charge any fee associated with an extension of time as well as any other fee necessary to further the prosecution of this application to **IBM CORPORATION DEPOSIT ACCOUNT No. 09-0461**.

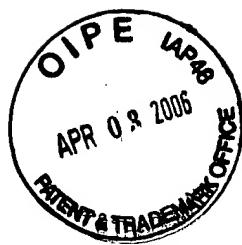
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Typed Name: James E. Boice

Date: 3/31/06

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REMARKS

Per a Final Office Action dated October 5, 2005, Claims 1-3, 5-6 and 17-27 stand finally rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sanders* (U.S. Patent No. 5,734,831 – “*Sanders*”) in view of *Chiles et al.* (U.S. Patent No. 6,167,567 – “*Chiles*”). Appellants are appealing the rejections of Claims 1-3, 17, 18 and 20-21.

Sanders teaches a method and system for configuring a computer using HTML pages. A user enters input into a webpage, which results in running script that performs specific administrative tasks on a network server, such as adding new accounts for access to the server. (*Sanders*, col. 1, line 59 to col. 2, line 24.) *Chiles* teaches a method and system for automatically updating software in a server. (*Chiles*, abstract)

A response to the October 5, 2005 Final Office Action was filed within two months on November 30, 2005. Despite numerous telephone calls to the Examiner and her supervisor between January 2006 and the end of March 2006 requesting either an Advisory Action or a Notice of Allowance, neither has been received. In a telephone call on March 30, 2006, the Examiner simply stated that no claims would be allowed, and offered no further explanation.

ARGUMENTS

I. Claims 1-3. The prior art cited by the Examiner clearly does not teach or suggest “in response to the subsequent user-interface component of the script being started...automatically closing the first user-interface component and removing the first user-interface from a system memory in the computer.”

In paragraph 1 (page 2) of the October 5, 2005 Final Office Action, the Examiner has rejected Claims 1-3 as being unpatentable over *Sanders* in view of *Chiles*. The Board is directed to Appellants’ November 20, 2005 response, on pages 7-8. With regards to exemplary base Claim 1, Appellants have argued and continue to argue that the cited prior art does not teach or suggest completely dumping a GUI (“removing the first user-interface”) out of system memory in response to a subsequent user-interface component of script being started. *Chiles* teaches establishing a second type of connection (the HTTP connection) in response to the FTP

connection being terminated. That is, only after the first connection (FTP) is terminated will the subsequent connection (HTTP) be established. In the present Claim 1, however, the first GUI closes in response to the second GUI being started. That is, *Chiles* cues the action of starting a subsequent program on an earlier program ending, while the present invention cues the action of starting a subsequent program on an earlier program starting.

Furthermore, *Chiles* does not teach or suggest “removing the first user-interface from a system memory in the computer.”

II. Claim 17. The prior art cited by the Examiner clearly does not teach or suggest a method in which “the first user-interface component directly passes data to the subsequent user-interface component before the first user-interface component closes.”

In on page 9 of the October 5, 2005 Final Office Action, the Examiner has rejected Claim 17 as being unpatentable over *Sanders* in view of *Chiles*. The Board is directed to Appellants’ November 20, 2005 response, on page 8. Appellants have argued and continue to argue that the cited art does not teach or suggest any type of data passing between GUIs, particularly any **direct** passing of data between GUIs.

That is, Claim 17 claims:



Sanders is cited for teaching this feature at col. 3, lines 12-25. However, *Sanders* teaches that commands and information can be sent from a GUI to a server, NOT to another GUI. That is, *Sanders* teaches:



Thus, *Sanders* does not teach or suggest the claimed features in Claim 17.

III. Claim 18. The prior art cited by the Examiner clearly does not teach or suggest “wherein the first and subsequent user-interface components are decoupled from the software application, such that an execution context of the user-interface components can be changed without affecting application code in the software application.”

In on page 9 of the October 5, 2005 Final Office Action, the Examiner has rejected Claim 18 as being unpatentable over *Sanders* in view of *Chiles*. The Board is directed to Appellants' November 20, 2005 response, on page 9. Appellants have argued and continue to argue that this feature is not taught by the cited art. *Sanders* is cited at col. 4, lines 3-13 for teaching these features. However, the cited passage is related to a boot process using an initialization script to locate a root directory. Neither the cited passage nor any other cited prior art teaches or suggests decoupling GUIs (Claim 18) from a software application that has a plurality of policy frameworks (described in base Claim 1).

IV. Claims 20-21. The prior art cited by the Examiner clearly does not teach or suggest decoupling GUIs via a script on a server managing a contract between the script and a policy of the container/desktop, wherein a policy may describe the “number of tasks that can be simultaneously executed on a client computer” or “a visual policy that describes a position, sizing and cropping of the GUI.”

On page 9 of the October 5, 2005 Final Office Action, the Examiner has rejected Claims 20-21 as being unpatentable over *Sanders* in view of *Chiles*. The Board is directed to Appellants' November 20, 2005 response, on page 9. Appellants have argued and continue to argue that the cited prior art clearly does not teach or suggest decoupling GUIs via a script on a server managing a contract between the script and a policy of the container/desktop (as recited in base Claim 19), and that these claimed policies may describe the “number of tasks that can be simultaneously executed on a client computer (as recited in **Claim 20**); or they may describe a visual policy that “describes a position, sizing and cropping” of the GUI (as recited in **Claim 21**). The art cited by the Examiner simply never teaches or suggests any features related to such described policies, particularly in the context of user-interface components that are decoupled via a script on a server managing a contract between the script and a policy of a container/desktop.



CONCLUSION

As the cited prior art does not teach or suggest all of the presently claimed limitations, and as all claims are fully supported by the present patent application, Appellants now respectfully request a Notice of Allowance for all pending claims.

Respectfully submitted,

James E. Boice
Registration No. 44,545
DILLON & YUDELL LLP
8911 North Capital of Texas Highway
Suite 2110
Austin, Texas 78759
512.343.6116
ATTORNEY FOR APPLICANT(S)